

## INEQUITY OF DONOR STATES

Mr. LEVIN. Mr. President, I am concerned that the 5-month highway bill extension being considered by the Senate today does not address the inequity faced by the donor States for so many years. The donor State inequity issue is the historic problem of about 20 States, including Michigan, Ohio and Oklahoma, known as "donor" States, who have sent more gas tax dollars year after year to the Highway Trust Fund in Washington than were returned in transportation infrastructure spending. The remaining 30 States, known as "donee" States, have received more transportation funding than they paid into the Highway Trust Fund. For a long time there has been no legitimacy to retaining such antiquated and unfair formulas that require taxpayers in 20 of our States to subsidize highway projects in 30 other States. We should not consider a highway bill without addressing this important issue.

It is a high priority to see that this historic inequity be corrected. At stake are tens of millions of dollars a year in additional funding to pay for badly needed transportation improvements in Michigan and the jobs that go with it. My colleague from Ohio and I have authored legislation that would bring donor States to a 95 percent rate of return on their contributions to the Highway Trust Fund. This would be up from the current minimum rate of return of 90.5 percent under the current TEA-21 bill. I am reluctant to see even a short term extension of the highway bill go through without increasing the minimum rate of return for donor States to address the inequity. I would at the very least like to get a commitment from the chairman that achieving donor State equity in a 6-year reauthorization bill in his intention and an urgent priority. I know he is as determined as we are to achieve equity for donor States.

Mr. VOINOVICH. Mr. President, I couldn't agree more with my colleague from Michigan. There is no logical reason why donor States should be contributing more dollars to the Highway Trust Fund than are returned to them for highway, bridge, and other surface transportation projects. Donor States like Ohio, Michigan, and Oklahoma have as many transportation infrastructure needs as other States. With so many projects needing funding in our own States, why should the citizens in our States continue to pay for transportation improvements in other States?

I, too, would like an assurance that the donor State equity issue will be addressed in the reauthorization of the Transportation Equity Act for the 21st Century and that this long-term reauthorization will be presented to the Senate as soon as possible.

Mr. INHOFE. Mr. President, I want my colleagues from Michigan, Ohio, and the many other donor States to know that I am committed to improv-

ing the return to donor States. It is my intention that any comprehensive 6-year reauthorization bill considered by the Senate include a provision that guarantees all donor States get to a 95 percent minimum rate of return at the end of the life of the bill without harming the opportunity for all States to grow. However, Members need to understand that this is only possible if we are able to fund the bill at \$255 billion which means we must identify additional revenue.

I also want to further assure my donor State colleagues that the next highway bill I plan to mark up is a 6-year bill.

Mr. LEVIN. Mr. President, I am reassured to hear such a strong commitment from my colleague from Oklahoma to achieve a 95-percent minimum rate of return for all States in the long-term highway reauthorization bill. I look forward to continuing to work closely with the chairman to achieve this goal and in the fight for true donor State equity.

Mr. VOINOVICH. Mr. President, I am also reassured to hear the strong conviction of my colleague from Oklahoma that donor States should receive a minimum rate of return of 95 percent on the share of their contributions to the Highway Trust Fund. I too look forward to working with the chairman and my colleague from Michigan to improve donor State equity.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table; and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3087) was read the third time and passed.

#### RUNAWAY, HOMELESS, AND MISSING CHILDREN PROTECTION ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 289, S. 1451.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1451) to reauthorize programs under the Runaway and Homeless Youth Act and the Missing Children's Assistance Act, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, I urge the Senate to take up and pass S. 1451, the Runaway, Homeless, and Missing Children Protection Act. It passed unanimously in the Judiciary Committee earlier today, and it deserves the support of every Senator. I joined with Senator HATCH in introducing this legislation to reauthorize and improve the Runaway and Homeless Youth Act, and to extend the authorization of the Missing Children's Assistance Act. This bill follows in the footsteps of the re-

cently enacted PROTECT Act legislation, and presents another milestone in our efforts to safeguard all of our children.

In the 29 years since it became law, the Runaway and Homeless Youth Act has helped some of the most vulnerable children in our country. I have worked in the past to extend the program, most recently in the 106th Congress, when I cosponsored S. 249, the Missing, Exploited, and Runaway Children Protection Act, which extended the act through this year. I am pleased to help extend it once again.

A Justice Department report released last year estimated that 1.7 million young people either ran away from or were thrown out of their homes in 1999 alone. Other studies have suggested an even higher number. This law and the programs it funds provide a safety net that helps give these young people a chance to build lives for themselves. It is slated to expire at the end of this fiscal year, and we should not allow that to happen.

In my State, both the Vermont Coalition for Runaway and Homeless Youth and Spectrum Youth and Family Services in Burlington receive grants under this law, and they have provided excellent services both to young people trying to build lives on their own and to those who are struggling on the streets. Reauthorizing this law will allow them to continue their enormously important work.

This bill would improve the law by extending the period during which older homeless youth can receive services under the Transitional Living Program, to ensure that all homeless youth can take advantage of services at least until they turn 18. The bill would also make permanent the Secretary of Health and Human Services' authority to make grants explicitly to help rural areas meet the unique stresses of providing services to runaway and homeless youth. Programs serving runaway and homeless youth have found that those in rural areas are particularly difficult to reach and serve effectively, and this bill recognizes that fact.

The improvements proposed in this bill to the Missing Children's Assistance Act build on provisions included in the PROTECT Act legislation that we enacted earlier this year. In that bill, we authorized National Center for Missing and Exploited Children, NCMEC, activities through 2005 and authorized the Center to strengthen its CyberTipline to provide online users an effective means of reporting Internet-related child sexual exploitation in distribution of child pornography, online enticement of children for sexual acts, and child prostitution. This bill would extend NCMEC through 2008. Now more than ever, it is critical for Congress to give the center the resources it needs in order to pursue its important work. A missing or abducted child is the worst nightmare of any parent or grandparent, and NCMEC has proved to

be an invaluable resource in Federal, State, and local efforts to recover children who have disappeared.

Although this is a good bill on the whole, I am disappointed that Senator HATCH did not agree to remove a provision that was included in the House-passed bill that prohibits grantees from using any funds provided under this program for needle distribution programs. This is a superfluous provision that simply repeats what is already law. In addition, it is unnecessary because no grantee under this program operates needle exchange programs or has expressed interest in doing so. The inclusion of this needless provision, however, does not change the fact that this is still a very good bill.

The Runaway and Homeless Youth Act programs have received tremendous bipartisan support over the years, and the House has already passed its version of this bill by a vote of 404 to 14. I urge the Senate to follow suit today.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1451) was read the third time and passed, as follows:

S. 1451

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Runaway, Homeless, and Missing Children Protection Act".

#### TITLE I—AMENDMENTS TO RUNAWAY AND HOMELESS YOUTH ACT

##### SEC. 101. AMENDMENT TO FINDINGS.

Section 302 of the Runaway and Homeless Youth Act (42 U.S.C. 5701) is amended to read as follows:

##### "SEC. 302. FINDINGS.

"The Congress finds that—

"(1) youth who have become homeless or who leave and remain away from home without parental permission, are at risk of developing, and have a disproportionate share of, serious health, behavioral, and emotional problems because they lack sufficient resources to obtain care and may live on the street for extended periods thereby endangering themselves and creating a substantial law enforcement problem for communities in which they congregate;

"(2) many such young people, because of their age and situation, are urgently in need of temporary shelter and services, including services that are linguistically appropriate and acknowledge the environment of youth seeking these services;

"(3) in view of the interstate nature of the problem, it is the responsibility of the Federal Government to develop an accurate national reporting system to report the problem, and to assist in the development of an effective system of care (including preventive and aftercare services, emergency shelter services, extended residential shelter, and street outreach services) outside the welfare system and the law enforcement system;

"(4) to make a successful transition to adulthood, runaway youth, homeless youth,

and other street youth need opportunities to complete high school or earn a general equivalency degree, learn job skills, and obtain employment; and

"(5) improved coordination and collaboration between the Federal programs that serve runaway and homeless youth are necessary for the development of a long-term strategy for responding to the needs of this population."

##### SEC. 102. GRANT PROGRAM CONFORMING AMENDMENT.

The heading for part A of the Runaway and Homeless Youth Act (42 U.S.C. 5711 et seq.) is amended by striking "RUNAWAY AND HOMELESS YOUTH" and inserting "BASIC CENTER".

##### SEC. 103. GRANTS FOR SERVICES PROVIDED.

Section 311(a)(2)(C) of the Runaway and Homeless Youth Act (42 U.S.C. 5711(a)(2)(C)) is amended—

- (1) in clause (ii) by striking "and";
- (2) in clause (iii) by striking the period and inserting "; and"; and
- (3) after clause (iii) by inserting the following:

"(iv) at the request of runaway and homeless youth, testing for sexually transmitted diseases."

##### SEC. 104. REPEAL OF OBSOLETE PROVISION RELATING TO CERTAIN ALLOTMENTS.

Section 311(b) of the Runaway and Homeless Youth Act (42 U.S.C. 5711(b)) is amended—

- (1) in paragraph (2), by striking "Subject to paragraph (3), the" and inserting "The";
- (2) by striking paragraph (3); and
- (3) by redesignating paragraph (4) as paragraph (3).

##### SEC. 105. ELIGIBILITY PROVISION.

Section 312(a) of the Runaway and Homeless Youth Act (42 U.S.C. 5712(a)) is amended by striking "juveniles" each place it appears and inserting "youth".

##### SEC. 106. RECOGNITION OF STATE LAW RELATING TO CAPACITY LIMITATION ON ELIGIBLE RUNAWAY AND HOMELESS YOUTH CENTERS.

Section 312(b)(2)(A) of the Runaway and Homeless Youth Act (42 U.S.C. 5712(b)(2)(A)) is amended by inserting after "youth" the following: "except where the applicant assures that the State where the center or locally controlled facility is located has a State or local law or regulation that requires a higher maximum to comply with licensure requirements for child and youth serving facilities".

##### SEC. 107. MATERNITY GROUP HOMES.

(a) ELIGIBILITY.—Section 322(a)(1) of the Runaway and Homeless Youth Act (42 U.S.C. 5714-2(a)(1)) is amended—

(1) by inserting after "group homes," the following: "including maternity group homes,"; and

(2) by inserting after "use of credit," the following: "parenting skills (as appropriate),".

(b) DEFINITION.—Section 322 of the Runaway and Homeless Youth Act (42 U.S.C. 5714-2) is amended by adding at the end the following new subsection:

"(c) DEFINITION.—In this part, the term 'maternity group home' means a community-based, adult-supervised transitional living arrangement that provides pregnant or parenting youth and their children with a supportive and supervised living arrangement in which such pregnant or parenting youth are required to learn parenting skills, including child development, family budgeting, health and nutrition, and other skills to promote their long-term economic independence in order to ensure the well-being of their children."

##### SEC. 108. LIMITED EXTENSION OF 540-DAY SHELTER ELIGIBILITY PERIOD.

Section 322(a)(2) of the Runaway and Homeless Youth Act (42 U.S.C. 5714-2(a)(2)) is

amended by inserting after "days" the following: "except that a youth in a program under this part who is under the age of 18 years on the last day of the 540-day period may, if otherwise qualified for the program, remain in the program until the earlier of the youth's 18th birthday or the 180th day after the end of the 540-day period".

##### SEC. 109. PART A PLAN COORDINATION ASSURANCES.

Section 312(b)(4)(B) of the Runaway and Homeless Youth Act (42 U.S.C. 5712(b)(4)(B)) is amended by striking "personnel" and all that follows through the semicolon and inserting "McKinney-Vento school district liaisons, designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)), to assure that runaway and homeless youth are provided information about the educational services available to such youth under subtitle B of title VII of that Act";

##### SEC. 110. PART B PLAN COORDINATION AGREEMENT.

Section 322(a) of the Runaway and Homeless Youth Act (42 U.S.C. 5714-2(a)) is amended—

(1) by striking "and" after the semicolon at the end of paragraph (13);

(2) by striking the period at the end of paragraph (14) and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(15) to coordinate services with McKinney-Vento school district liaisons, designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)), to assure that runaway and homeless youth are provided information about the educational services available to such youth under subtitle B of title VII of that Act."

##### SEC. 111. PART B PLAN DEVELOPMENT.

Section 322(a)(7) of the Runaway and Homeless Youth Act (42 U.S.C. 5714-2(a)(7)) is amended to read as follows:

"(7) to develop an adequate plan to ensure proper referral of homeless youth to social service, law enforcement, educational (including post-secondary education), vocational, training (including services and programs for youth available under the Workforce Investment Act of 1998), welfare (including programs under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996), legal service, and health care programs and to help integrate and coordinate such services for youths;"

##### SEC. 112. COORDINATION OF PROGRAMS.

Section 341 of the Runaway and Homeless Youth Act (42 U.S.C. 5714-21) is amended—

(1) in paragraph (1), by striking "and" after the semicolon at the end;

(2) in paragraph (2), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(3) shall consult, as appropriate, the Secretary of Housing and Urban Development to ensure coordination of programs and services for homeless youth."

##### SEC. 113. CLARIFICATION OF GRANT AUTHORITY.

Section 343(a) of the Runaway and Homeless Youth Act (42 U.S.C. 5714-23(a)) is amended by inserting after "service projects" the following: "regarding activities under this title".

##### SEC. 114. TECHNICAL AMENDMENT RELATING TO DEMONSTRATION PROJECTS.

The section heading of section 344 of the Runaway and Homeless Youth Act (42 U.S.C. 5714-24) is amended by striking "TEMPORARY".

**SEC. 115. REPEAL OF OBSOLETE PROVISION RELATING TO STUDY.**

The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended by striking section 345 (42 U.S.C. 5714-25).

**SEC. 116. AGE LIMIT FOR HOMELESS YOUTH.**

Section 387(3)(A)(i) of the Runaway and Homeless Youth Act (42 U.S.C. 5732a(3)(A)(i)) is amended by inserting after "of age" the following: ", or, in the case of a youth seeking shelter in a center under part A, not more than 18 years of age".

**SEC. 117. AUTHORIZATION OF APPROPRIATIONS.**

(a) OTHER THAN PART E.—Section 388(a)(1) of the Runaway and Homeless Youth Act (42 U.S.C. 5751(a)(1)) is amended by striking "such sums as may be necessary for fiscal years 2000, 2001, 2002, and 2003" and inserting "\$105,000,000 for fiscal year 2004, and such sums as may be necessary for fiscal years 2005, 2006, 2007, and 2008".

(b) PART E.—Section 388(a)(4) of the Runaway and Homeless Youth Act (42 U.S.C. 5751(a)(4)) is amended by striking "2000, 2001, 2002, and 2003" and inserting "2004, 2005, 2006, 2007, and 2008".

(c) PART B ALLOCATION.—Section 388(a)(2)(B) of the Runaway and Homeless Youth Act (42 U.S.C. 5751(a)(2)(B)) is amended by striking "not less than 20 percent, and not more than 30 percent" and inserting "45 percent and, in those fiscal years in which continuation grant obligations and the quality and number of applicants for parts A and B warrant not more than 55 percent".

**SEC. 118. REPORT ON PROMISING STRATEGIES TO END YOUTH HOMELESSNESS.**

Not later than 2 years after the date of the enactment of this Act, the Secretary of Health and Human Services, in consultation with the United States Interagency Council on Homelessness, shall submit to the Congress a report on promising strategies to end youth homelessness.

**SEC. 119. STUDY OF HOUSING SERVICES AND STRATEGIES.**

The Secretary of Health and Human Services shall conduct a study of programs funded under part B of the Runaway and Homeless Youth Act (42 U.S.C. 5714-1 et seq.) to report on long-term housing outcomes for youth after exiting the program. The study of any such program should provide information on housing services available to youth upon exiting the program, including assistance in locating and retaining permanent housing and referrals to other residential programs. In addition, the study should identify housing models and placement strategies that prevent future episodes of homelessness.

**SEC. 120. RESTRICTION ON USE OF FUNDS.**

The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended by adding at the end the following new section:

**"SEC. 389. RESTRICTION ON USE OF FUNDS.**

"(a) IN GENERAL.—None of the funds contained in this title may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

"(b) SEPARATE ACCOUNTING.—Any individual or entity who receives any funds contained in this title and who carries out any program described in subsection (a) shall account for all funds used for such program separately from any funds contained in this title."

**TITLE II—AMENDMENTS TO MISSING CHILDREN'S ASSISTANCE ACT****SEC. 201. AMENDMENT TO FINDINGS.**

Section 402 of the Missing Children's Assistance Act (42 U.S.C. 5771) is amended to read as follows:

**"SEC. 402. FINDINGS.**

"The Congress finds that—

"(1) each year thousands of children are abducted or removed from the control of a parent having legal custody without such parent's consent, under circumstances which immediately place the child in grave danger;

"(2) many missing children are at great risk of both physical harm and sexual exploitation;

"(3) in many cases, parents and local law enforcement officials have neither the resources nor the expertise to mount expanded search efforts;

"(4) abducted children are frequently moved from one locality to another, requiring the cooperation and coordination of local, State, and Federal law enforcement efforts;

"(5) the National Center for Missing and Exploited Children—

"(A) serves as the national resource center and clearinghouse;

"(B) works in partnership with the Department of Justice, the Federal Bureau of Investigation, the Department of the Treasury, the Department of State, and many other agencies in the effort to find missing children and prevent child victimization; and

"(C) operates a national and increasingly worldwide network, linking the Center online with each of the missing children clearinghouses operated by the 50 States, the District of Columbia, and Puerto Rico, as well as with Scotland Yard in the United Kingdom, the Royal Canadian Mounted Police, INTERPOL headquarters in Lyon, France, and others, which enable the Center to transmit images and information regarding missing children to law enforcement across the United States and around the world instantly."

**SEC. 202. AUTHORIZATION OF APPROPRIATIONS.**

(a) ANNUAL GRANT TO NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.—Section 404(b)(2) of the Missing Children's Assistance Act (42 U.S.C. 5773(b)(2)) is amended by striking "2005" and inserting "2008".

(b) IN GENERAL.—Section 408(a) of the Missing Children's Assistance Act (42 U.S.C. 5777(a)) is amended by striking "2005." and inserting "2008".

**ORDERS FOR MONDAY,  
SEPTEMBER 29, 2003**

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 1 p.m., Monday, September 29. I further ask consent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and there then be a period of morning business until 2 o'clock, with the time equally divided in the usual form. Further, I ask consent that at 2 o'clock the Senate resume consideration of H.R. 2765, the District of Columbia appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

**PROGRAM**

Mr. FRIST. Mr. President, for the information of all Senators, on Monday the Senate will resume consideration of the District of Columbia appropriations bill. It is my hope that the Senate will complete action on this measure early in the week. On Monday, the

managers will continue to work through remaining amendments to the bill. I do expect to have votes during Monday's session. If amendments are offered to the bill, then it is possible we could have votes on those amendments Monday evening. If we are unable to make further progress on the bill, I would expect a vote on any available nominations.

**THIS WEEK IN THE SENATE**

Mr. FRIST. Mr. President, although we have not been able to finish the DC appropriations this week, we have addressed a number of significant, very important issues over the course of the week.

Earlier in the week, we finished the Interior appropriations bill, after a lot of great work, fantastic work and leadership by Senator CONRAD BURNS and the ranking member.

In addition, we completed final action on three appropriations conference reports, those being the Department of Defense, Homeland Security, and the legislative branch bills. Those will now be sent to the President for his signature.

I am also pleased that the Senate was able to respond, very appropriately and very quickly, on the Do Not Call legislation, although within several hours after passage, we had yet another setback, a setback in the sense that the will of the American people is being trumped by a decision made in a Colorado court on this issue of "do not call."

Earlier this week, a Federal judge in Oklahoma had ruled that the Federal Trade Commission had no authority to operate the Do Not Call Telemarketing Registry, which was just about ready to go into effect, and very quickly we responded with legislation. But then, last night, as most people know, a Colorado judge ruled that the registry restrictions were a violation of the first amendment.

Even over the course of the morning, I can tell you, because of the number of phone calls that have come to me, and talking with constituents back home, as well as the news media, it clearly is the sentiment, the feeling of the overwhelming majority of Americans that these decisions make no sense.

Americans this summer have signed up for that "sound of silence" in the evenings from that telephone ring right when they are sitting down for that very special time—dinner with their family—and there are the repetitive phone calls that start coming to them by telemarketers hawking the variety of wares with which we are all familiar.

The daily lives of millions of people are interrupted each and every day—again and again—with that telephone ring interrupting meals and family time, interrupting their togetherness. You pick up the phone and hear the pitch.

Every time I am in Tennessee, I hear about this. According to the FTC, as of